

REMARKS

Claims 1-63 are pending in the application.

Claims 1-63 have been rejected.

Reconsideration of the Claims is respectfully requested.

1. Rejection under 35 U.S.C. Section 102

Claims 1-63 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Published Application No. 2004/0172658 to Rakib et al. ("Rakib").

For establishing anticipation, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. . . . The identical invention must be shown in as complete detail as is contained in the . . . claim." MPEP 2131 at p. 2100-67 (Rev. 6, Sept. 2007) (citations omitted).

Rakib notes that "a consumer will not know whether to buy a gateway that can interface to an ADSL modem or an HDSL modem or a cable modem until the bugs are worked out and competitive factors come into play and make it clear which delivery network provides the best, lowest cost service for this application." (Rakib ¶ 0014). In this regard, Rakib relates to providing a "consumer [the ability] to take advantage of the best delivery mechanism for each service and be able to switch easily between delivery services as competition forces adjustments in prices." (Rakib ¶ 0015).

In this regard, Rakib recites an "expandable gateway construction which interfaced any one of a number of external networks and subscription services to peripheral devices in a customer premises coupled to the gateway by one or more local area networks. Such a modular gateway species would have as many shared components as possible including a network interface to drive a local area network that communicates digital data of various services and a routing process and possibly an IP packetization process running on the host computer. However, expandability would be provided by interfacing the gateway to one or more external networks *using modular plug-in expansion circuits or modules to implement the unique interfaces with various types of data delivery networks.*" (Rakib ¶ 0022). That is, with a change of provider, the user "need only buy an . . . interface having the appropriate . . . coding to switch services and does not need to buy an entirely new gateway." (Rakib ¶ 0025).

Also, as recited in Rakib, “management and control process 368 receives video-on-demand and *other requests* for services and data as described in the detailed descriptions of *each module*. These other requests can include the numbers of CATV or terrestrial channels to tune in or requests for DirecPC or ADSL or HFC high speed internet access. . . . In response, the management and control process sends out the appropriate control data to the tuners, transport demultiplexers, transcoders, conditional access circuits, IP video process and other circuits or processes *to manage retrieving the requested data and distributing it* to the right peripheral or to transmit data upstream on particular upstream channels. These upstream channels may be preassigned or assigned by downstream control messages from the headend or ADSL CO or satellite uplink server.” (Rakib ¶ 0250). That is, as understood, Rakib does not recite “*channel mixing* in a multimedia system.” Instead, Applicant respectfully submits that Rakib delivers signals that retain their individual and distinct channels.

As described in Applicant’s Specification, a “multimedia server 12 includes a tuning module 150, a *channel mixer 152*, a transceiving module 154, and a control module 156.” (Specification at page 34, *ll.* 22-25). The channel mixer 152 “*mixes (i.e., multiplexes) the set of channels 162 to produce a stream of channel data 166*. The mixing of the set of channels includes converting the data of each channel into a generic data type and then converting the generic data into a specific data format for transmission as the stream of channel data 166.” (Specification at page 38, *ll.* 16-21).

As an example, the Specification recites that “[if] the data for the channel of interest is audio data, the processor 396 converts the formatted of audio data from its original format into generic audio data, such as MPEG formatted audio data, MP3 formatted data, and/or PCM digitized audio data.” (Specification at page 67, *ll.* 11-15). As another example, the Specification recites that “if the channel of interest corresponds to video data received from one of the multimedia sources, the processor converts the specific formatted video data (e.g., MPEG II) of the multimedia source into a generic video data. Such generic video data may be formatted as MPEG video data, JPEG data, M-JPEG video data, digital RGB data and/or digital YCBCR data.” (Specification at page 67, *ll.* 3-9).

In kind, Applicant’s Claim 1 recites a “method for *channel mixing in a multimedia system*, the method comprises: receiving a *set of channels* as encoded channel data; interpreting the encoded channel data *to identify a channel of interest of the set of channels based on a specific*

channel selection request; processing data of the channel of interest based on type of channel to produce generic data; and converting the generic data into a stream of data.” (emphasis added).

Also, Applicant’s Independent Claim 16, *inter alia*, a “method for *channel mixing in a multimedia system*, the method comprises: receiving a *set of channels* as encoded channel data; interpreting the encoded channel data *to identify type of data of a channel of interest contained within the set of channels based on a specific channel selection request; separating the channel of interest from the set of channels* based on the type of data; processing data of the channel of interest based on the type of data *to produce generic data; and converting the generic data into a stream of data.” (emphasis added).*

In addition, Applicant’s Independent Claim 28 recites, *inter alia*, a “*channel mixer for use in a multimedia system*, the channel mixer comprises: *stream parsing module* operably coupled to receive *a set of channels as encoded channel data*, wherein the stream parsing module generates *generic data for at least one channel of the set of channels*, wherein the at least one of the channels is determined *based on a specific channel selection request; and data transcoding module* operably coupled to *convert the generic data of the at least one channel into a stream of data having a specific data format.” (emphasis added).*

Further, Applicant’s Independent Claim 37 recites, *inter alia*, an “apparatus for *channel mixing in a multimedia system*, the apparatus comprises: . . . memory operably coupled to the processing module, wherein the memory includes operational instructions that cause the processing module to: receive *a set of channels* as encoded channel data; interpret the encoded channel data *to identify a channel of interest of the set of channels based on a specific channel selection request; process data of the channel of interest based on type of channel to produce generic data; and convert the generic data into a stream of data.” (emphasis added).*

Furthermore, Applicant’s Independent Claim 52 recites, *inter alia*, a “apparatus for *channel mixing in a multimedia system*, the apparatus comprises: . . . memory operably coupled to the processing module, wherein the memory includes operational instructions that cause the processing module to: receive *a set of channels* as encoded channel data; interpret the encoded channel data *to identify type of data of a channel of interest contained within the set of channels based on a specific channel selection request; separate the channel of interest from the set of channels* based on the type of data; process data of the channel of interest based on the type of

data to produce generic data; and convert the generic data into a stream of data.” (emphasis added).

Accordingly, Applicant respectfully submits that each and every element forth in its claims is not found, either expressly or inherently described, in the expandable gateway construction of Rakib. The identical invention as recited in Applicant’s claims is not shown in as complete detail in the cited reference with respect to its Claims 1-63. Applicant respectfully requests that the rejection to these claims be withdrawn.

2. Conclusion

As a result of the foregoing, the Applicant respectfully submits that Claims 1-63 in the Application are in condition for allowance, and respectfully requests an allowance of such Claims.

If any issues arise, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at ksmith@texaspatents.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Garlick Harrison & Markison Deposit Account No. 50-2126.

Respectfully submitted,

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